

**U.S. District Court
Southern District of California (San Diego)
CIVIL DOCKET FOR CASE #: 3:19-cv-00495-BAS-BLM**

Aguirre v. United States Nuclear Regulatory Commission et al
Assigned to: Judge Cynthia Bashant
Referred to: Magistrate Judge Barbara Lynn Major
Related Case: 3:19-cv-00587-BAS-BLM
Cause: 05:0552fi Freedom of Information Act

Date Filed: 03/14/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Michael J. Aguirre

represented by **Maria C Severson**
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V.

Defendant

**United States Nuclear Regulatory
Commission**

represented by **U S Attorney CV**
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Defendant

DOES 1 to 10
inclusive

| Date Filed | # | Docket Text |
|------------|----------|---|
| 03/14/2019 | <u>1</u> | COMPLAINT against DOES 1 to 10, United States Nuclear Regulatory Commission (Filing fee \$ 400 receipt number 0974-12302023), filed by Michael J. Aguirre. (Attachments: # <u>1</u> Civil Cover Sheet) |

| | | |
|------------|-----------|---|
| | | The new case number is 3:19-cv-00495-BAS-BLM. Judge Cynthia Bashant and Magistrate Judge Barbara Lynn Major are assigned to the case. (Severson, Maria)(cdw) (jao). (Entered: 03/15/2019) |
| 03/15/2019 | <u>2</u> | Summons Issued. Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1. (cdw) (jao). (Entered: 03/15/2019) |
| 04/02/2019 | <u>3</u> | SUMMONS Returned Executed by Michael J. Aguirre. United States Nuclear Regulatory Commission served. (Severson, Maria). (jah). (Entered: 04/02/2019) |
| 04/15/2019 | <u>4</u> | NOTICE OF RELATED CASE(S) by Michael J. Aguirre of case(s) 19cv0587-H-KSC. (Attachments: # <u>1</u> Proof of Service)(Severson, Maria). Modified on 4/16/2019 – Proposed Low Number Transfer Order prepared and forwarded (jah). (Entered: 04/15/2019) |
| 05/17/2019 | <u>5</u> | MOTION for Status Conference by Michael J. Aguirre. (Attachments: # <u>1</u> Declaration of Maria Severson, # <u>2</u> Proof of Service by mail)(Severson, Maria). Modified on 5/20/2019 – Edited text (jah). (Entered: 05/17/2019) |
| 05/21/2019 | <u>6</u> | ORDER Requesting Response re <u>5</u> MOTION for Status Conference filed by Michael J. Aguirre. Court is not inclined to hold a status conference for this issues but it is unclear to Court why the US Attorney does not deem the United States Nuclear Regulatory Commission (NRC) to be a United States Government Agency. Court orders the US Attorney to respond to Plaintiff's Motion by 5/31/2019. Signed by Judge Cynthia Bashant on 5/21/2019. (jah). Modified on 5/21/2019 – Corrected text. Regenerated NEF (jah). (Entered: 05/21/2019) |
| 05/31/2019 | <u>7</u> | RESPONSE in Opposition re <u>5</u> MOTION for Status Conference filed by United States Nuclear Regulatory Commission. (Parker, Katherine). (jah). (Entered: 05/31/2019) |
| 05/31/2019 | <u>8</u> | NOTICE of Appearance by Katherine Lind Parker on behalf of United States Nuclear Regulatory Commission (Parker, Katherine). Attorney Katherine Lind Parker added to party United States Nuclear Regulatory Commission (pty:dft). (jah). (Entered: 05/31/2019) |
| 06/03/2019 | <u>9</u> | ORDER denying as moot Plaintiff's <u>5</u> Motion for Status Conference. Signed by Judge Cynthia Bashant on 6/3/2019. (jah) (Entered: 06/03/2019) |
| 06/13/2019 | <u>10</u> | MOTION to Dismiss for Failure to State a Claim (<i>failure to exhaust administrative remedies</i>) by United States Nuclear Regulatory Commission. (Attachments: # <u>1</u> Memo of Points and Authorities, # <u>2</u> Declaration of Tina Ennis with Exhibits, # <u>3</u> Declaration of Katherine Parker with Exhibit)(Parker, Katherine) (Entered: 06/13/2019) |